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QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL

Letter dated 1 June 1993 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the views of the Government of Mexico on the item entitled "Question of equitable representation on and increase in the membership of the Security Council" (see annex).

I should be grateful if you would have this letter and its annex distributed as an official document of the General Assembly, in accordance with its resolution 47/62 and in connection with item 33 of the preliminary list.

(Signed) Manuel TELLO
Permanent Representative of Mexico
to the United Nations

* A/48/50.

ANNEX

Views of the Government of Mexico on the question of equitable representation on and increase in the membership of the Security Council (General Assembly resolution 47/62)

1. As a sponsor of General Assembly resolution 47/62 of 11 December 1992, the Government of Mexico welcomes the decision by the Secretary-General to consult Member States as provided for in paragraph 1 of that resolution. The Government of Mexico believes that any action taken on this item must be carefully thought out and conform strictly to the purposes and principles of the Charter of the United Nations, so as to ensure that any amendments that may be adopted have the general agreement of the States Members of the Organization, including the five permanent members of the Security Council.

2. It is in this spirit and out of a desire to make a constructive contribution to this process that the Government of Mexico transmits the following comments on the question of equitable representation on and increase in the membership of the Security Council, which outline its main concerns in this regard.

General considerations

3. In 1963, the main reason for increasing the number of non-permanent members of the Security Council from 6 to 10 was the need to reflect in the Council the increase in the number of States Members of the United Nations. The Member States now number 183 and the composition of the Security Council must be altered so as to strike a balance between the membership of the Security Council and that of the Organization as a whole.

4. According to paragraph 1 of Article 24 of the Charter, the Council, in carrying out its duties, acts on behalf of all the Member States. The Council's composition must therefore be more representative if the legitimacy of its action is not to be eroded.

5. The increase in the membership of the United Nations has resulted in an imbalance in the geographical distribution of non-permanent seats on the Council, creating an unfair situation in which one regional group in particular is over-represented, to the detriment of participation by countries from other regional groups.

6. The composition of the Security Council must be truly representative of the entire membership of the United Nations, both numerically and geographically, in order to avoid placing one group of States at an advantage.

7. In addition, the dramatic changes witnessed world wide in recent years have caused new players to emerge whose responsibility for the maintenance of international peace and security should be made commensurate with the influence they wield in international relations.

8. Lastly, together with altering the composition of the Security Council, its functioning and working methods must be reviewed so that, independently of the guarantees provided in the Charter and in the Council's provisional rules of procedure for the participation of non-permanent members in Council decision-making and deliberations, the extent to which non-permanent members really participate in and influence these processes is increased. Communication between the Security Council and the other principal organs of the United Nations must also be improved.

Composition

9. Given the increase in the membership of the United Nations, consideration should be given to the advisability of broadening the composition of the Security Council to make it more representative, bearing in mind that any numerical increase in the Council's membership should be such as to enable it to discharge its duties expeditiously and effectively.

10. The criteria for Security Council membership set forth in paragraph 1 of Article 23 of the Charter of the United Nations remain valid. The criterion of Members' contribution to the maintenance of international peace and security should be interpreted broadly and should not refer only to the contribution of troops to United Nations peace-keeping operations or to collective action authorized by the Security Council. At the same time, any review of these criteria will have to be carried out on the understanding that the composition of the Council must reflect equitable geographical distribution, both in the allocation of non-permanent seats and in the Council's overall composition.

11. The composition of the Security Council must take into account the emergence of new players, the transformation of the international agenda and the new nature of relations among groups of countries. In order to be able to reflect this new reality in the Council's composition, the possibility of creating other categories and procedures for participation in the Council could be considered. The Council's composition must, in any case, be representative of global and regional interests.

Functioning and working methods

12. Ever since 1945, the Government of Mexico has regarded the veto as an undemocratic institution, even though its existence is recognized in the Charter of the United Nations. Accordingly, Mexico believes that new ways must be considered of regulating the exercise of the veto so that no permanent member on its own can block the Council's decisions and resolutions.

13. In addition to reviewing the composition of the Council, thorough consideration must be given to improving its working methods and its relations with other organs, particularly the General Assembly. Accordingly, the idea that the Council is answerable to the entire membership of the United Nations, by virtue of paragraph 3 of Article 24 of the Charter, must be reinforced.

14. The annual report which that provision requires the Security Council to submit to the General Assembly must be more than just a list of facts; it must contain a substantiated analysis of the decisions taken by the Council on each issue. In addition, one way of strengthening relations with the General

Assembly might be for the Council to submit reports more frequently (quarterly) to the Assembly for consideration, without prejudice to the annual or special reports referred to in paragraph 3 of Article 24 of the Charter. A mechanism should also be established, perhaps including the appointment of a special rapporteur of the Security Council, to ensure full compliance with the provisions of that Article.

15. Now that the obstacles which paralysed the Security Council for so long have been removed, the time has come to adopt definitive rules of procedure.

16. Although increasingly frequent use is being made of the mechanisms provided by the Charter to ensure that the Security Council assumes its peace-keeping responsibilities, this does not alter the fact that the primary obligation in this regard is the duty of Member States to settle their disputes by peaceful means. Any change in the Security Council would require improving existing mechanisms for the peaceful settlement of disputes and devising such new ones as may be necessary.

17. Furthermore, particular attention should be paid to ensuring respect for the competence which the Charter assigns to each of the principal organs of the United Nations, especially the functions entrusted to the General Assembly as regards the maintenance of international peace and security. A balance must be struck between the General Assembly and the Security Council in the discharge of functions in this sphere.

18. The process of reflection which began with resolution 47/62 must be pursued and expanded by holding consultations within the framework of the General Assembly, the object being to prepare the launching of a process of amendment of the Charter of the United Nations to coincide with the celebration of the fiftieth anniversary of the Organization.

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